

proceed to the immediate consideration of H.R. 2195.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 2195) to provide for additional space and resources for national collections held by the Smithsonian Institution, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. LEAHY. Mr. President, Larry Small, Secretary of the Smithsonian, has provided a letter to the majority and minority leaders that clarifies the intentions of the Smithsonian with regard to Section 5 of H.R. 2195.

I ask unanimous consent that the letter from Secretary Small concerning this clarification of how the Smithsonian will proceed with voluntary separation incentive payments be made part of the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SMITHSONIAN INSTITUTION,
Washington, DC, July 31, 2003.

Hon. BILL FRIST,
Majority Leader, U.S. Senate,
Washington, DC.

Hon. TOM DASCHLE,
Minority Leader, U.S. Senate,
Washington, DC.

DEAR LEADER FRIST AND LEADER DASCHLE: In discussions to facilitate the Senate's consideration of H.R. 2195, the "Smithsonian Facilities Authorization Act," the Smithsonian Institution would like to clarify its intentions with regard to Section 5, providing authority for voluntary separation incentive payments, or buyouts. This letter gives a detailed explanation of how we will proceed with the buyout.

If this legislation is enacted, the Secretary of the Smithsonian Institution will have the authority to offer separation incentives to employees who voluntarily retire or resign. Incentives will be offered on the basis of organizational unit, occupational series or level, geographic location, specific window periods, skills, knowledge, other job related factors, or a combination of such factors. An incentive payment will be the lesser of the amount of severance pay the employee would be entitled to if the employee were entitled to a severance payment, or an amount determined by the Secretary not to exceed \$25,000. We will offer buyouts for no more than three years from the date of enactment of H.R. 2195.

Any employee is eligible for the buyout if he or she is serving under an appointment without time limitation and has been employed for at least three years continuously in the civil service at the Smithsonian. Employees not eligible for the buyout are reemployed annuitants, employees eligible for disability retirement, employees about to be separated for misconduct or unacceptable performance, employees who have previously received a voluntary separation incentive payment, employees who are on transfer from an agency of the Executive Branch, and employees who had received a recruitment or relocation bonus, a retention allowance, or a student loan repayment.

The Secretary will devise a plan outlining the intended use of voluntary separation incentive payments. The plan will include the specific positions and functions to be reallocated, a description of the categories of employees to be offered incentives, the time pe-

riod during which incentives may be paid, the number and amounts of the incentive payments, and a description of how the Smithsonian will operate after positions and functions are reallocated. The Secretary will consult with the Office of Management and Budget regarding the Institution's plan prior to implementation and will provide an organization chart for the Smithsonian Institution reflecting its operations after incentive payments have been completed.

In addition, buyouts will only be made in the case of an employee who voluntarily separates and will be paid in a lump sum after the employee's separation. Buyouts will not be the basis for payments or included in the computation on any other type of government benefit, will not be taken into account in determining the amount of severance pay, and will be taken from appropriations or funds available for the basic pay of the employee.

We will amend our administrative procedures and make clear the buyout offer that any employee who accepts the voluntary separation incentive payment and then accepts employment for compensation with the Federal Government within five years will be required to repay to the Smithsonian Institution, prior to the individual's first day of employment, the entire amount of the voluntary separation incentive payment. This repayment requirement may be waived in certain circumstances, as detailed in the Homeland Security Act (Public Law 107-296).

The purpose of the buyout is not to reduce employment at the Smithsonian but to reconfigure the workforce to meet current and future needs.

I hope this information is useful. Please do not hesitate to contact me if you have any further questions. The passage of the "Smithsonian Facilities Authorization Act" prior to the August recess is extremely important to the Institution.

All the best,

LAWRENCE M. SMALL,
Secretary.

Mr. SUNUNU. Mr. President, I ask unanimous consent that the bill be read a third time and passed, that the motion to reconsider be laid upon the table, and that any statements regarding this matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2195) was read the third time and passed.

GARNER E. SHRIVER POST OFFICE BUILDING

Mr. SUNUNU. Mr. President, I ask unanimous consent that the Government Affairs Committee be discharged from further consideration of H.R. 1761 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1761) to designate the facility of the United States Postal Service located at 9350 East Corporate Hill Drive in Wichita, Kansas, as the "Garner E. Shriver Post Office Building".

There being no objection, the Senate proceeded to consider the bill.

Mr. SUNUNU. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the mo-

tion to reconsider be laid upon the table, and that any statements regarding the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 1761) was read the third time and passed.

NATIONAL HISTORICALLY BLACK COLLEGES AND UNIVERSITIES WEEK

NATIONAL VETERANS AWARENESS WEEK

Mr. SUNUNU. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 242, S. Res. 30, and Calendar No. 243, S. Res. 204, en bloc.

The PRESIDING OFFICER. The clerk will report the resolutions by title.

The legislative clerk read as follows:

A resolution (S. Res. 30) expressing the sense of the Senate that the President should designate the week beginning September 14, 2003, as "National Historically Black Colleges and Universities Week".

A resolution (S. Res. 204) designating the week of November 9 through November 15, 2003, as "National Veterans Awareness Week" to emphasize the need to develop educational programs regarding the contributions of veterans to the country.

There being no objection, the Senate proceeded to consider the resolutions.

Mr. SUNUNU. Mr. President, I ask unanimous consent that the resolutions be agreed to en bloc, the preambles be agreed to en bloc; further, that the motions to reconsider be laid upon the table en bloc, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 30) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 30

Whereas there are 105 historically black colleges and universities in the United States;

Whereas historically black colleges and universities provide the quality education so essential to full participation in a complex, highly technological society;

Whereas historically black colleges and universities have a rich heritage and have played a prominent role in American history;

Whereas historically black colleges and universities have allowed many underprivileged students to attain their full potential through higher education; and

Whereas the achievements and goals of historically black colleges and universities are deserving of national recognition: Now, therefore, be it

Resolved,

SECTION 1. DESIGNATION OF NATIONAL HISTORICALLY BLACK COLLEGES AND UNIVERSITIES WEEK.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that the President should designate the week beginning September 14, 2003, as "National Historically Black Colleges and Universities Week".

(b) PROCLAMATION.—The Senate requests the President to issue a proclamation—